

TOWN OF DAVIE

TOWN COUNCIL AGENDA REPORT

TO: Mayor and Council members

FROM/PHONE: Donald DiPetrillo, Fire Chief/ (954) 797-1213
Document Prepared by: Raquel B. Gray, Admin Aide

SUBJECT: Resolution

TITLE OF AGENDA ITEM:

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO RENEW THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY TO PROVIDE FOR DELIVERY OF EMERGENCY MEDICAL AND FIRE PROTECTION SERVICES IN THE PINE ISLAND RIDGE AREA; PROVIDING FOR TERMINATION, AND PROVIDING FOR AN EFFECTIVE DATE

REPORT IN BRIEF:

This resolution authorizes renewal of the original interlocal agreement with Broward County for having the Town of Davie provide emergency medical and fire protection services for Pine Island Ridge area. This agreement was negotiated for a three (3) year term with two (2) one (1) year renewals.

The terms of the agreement include the Town of Davie providing comprehensive emergency medical and fire protection services to Pine Island Ridge. Broward County will pay \$463,050 base fee plus revenues for special services during the first one (1) year renewal period. The fee would be paid in equal monthly payments of \$38,587.50. This agreement is being renewed for one (1) year with a cost increase of 5%. The agreement can be terminated by either party or if there is a breach as defined in Article 4.

PREVIOUS ACTIONS: Town Council previously approved resolution number R-2001-118 to provide Fire Protection and Emergency Medical Services to the Pine Island Ridge area on May 2, 2001.

CONCURRENCES: Original agreement was reviewed by the Town Attorney prior to submitting to Town Council for approval. Only change on the contract is the addition of Article 4.3 providing either party with one hundred eighty (180) days written notice to terminate the contract.

FISCAL IMPACT: The agreement would increase revenues for \$463,050 in the upcoming fiscal year, including approximately \$50,000 in miscellaneous revenues.

RECOMMENDATION(S): Motion to approve resolution

Attachment(s):

Resolution
Interlocal Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE APPROPRIATE TOWN OFFICIALS TO RENEW THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY TO PROVIDE FOR DELIVERY OF EMERGENCY MEDICAL AND FIRE PROTECTION SERVICES IN THE PINE ISLAND RIDGE AREA; PROVIDING FOR TERMINATION, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 163.01, Florida Statutes, authorizes local governmental units to contract with each other to provide fire protection and other essential services; and

WHEREAS, the Town of Davie and Broward County desire to renew the Interlocal Agreement for the Town of Davie to deliver emergency medical and fire protection services within Pine Island Ridge area; and

WHEREAS, the Town of Davie and Broward County have determined that it is mutually beneficial and in the best interest of the public to enter into this Interlocal Agreement; and

WHEREAS, the Town of Davie has proposed an Agreement, a copy of which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. The appropriate Town officials are hereby authorized to execute the proposed Agreement between the Town of Davie and Broward County for emergency medical and fire protection services, a copy of which is attached hereto as Exhibit "A", on behalf of the Town.

SECTION 2. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2003.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2003

EXHIBIT “A”

Renewal of
Interlocal Agreement
Between
BROWARD COUNTY
and
TOWN OF DAVIE

Providing for
Delivery of Fire Protection and Emergency Medical Services by Town Within
Certain Portions of Unincorporated Broward County

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Interlocal Agreement
Between
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Providing for
Delivery of Fire Protection and Emergency Medical Services by Town Within
Certain Portions of Unincorporated Broward County

This Interlocal Agreement is made by and between: BROWARD COUNTY, a political subdivision of the State of Florida (hereinafter called the "COUNTY"), and the Town of Davie, a municipal corporation of the State of Florida (hereinafter called the "TOWN").

WHEREAS, COUNTY and TOWN entered into an Interlocal Agreement providing for TOWN to deliver fire protection and emergency medical services within certain portions of unincorporated Broward County; and

WHEREAS, the Interlocal Agreement provides for a three (3) year term with two (2) one (1) year renewal terms each; and

WHEREAS, the parties agree that it is in the best interest of the public to enter into the first one (1) year renewal term of this Interlocal Agreement; NOW, THEREFORE,

IN CONSIDERATION of the mutual covenants, promises, terms and conditions set forth herein, COUNTY and TOWN do hereby agree as follows:

1. The above recitals are true and correct and are incorporated herein as if set forth in full hereunder.
2. Pursuant to Section 3.1 of the Interlocal Agreement, the parties desire to enter into the first renewal term of the Interlocal Agreement providing for the renewal term to commence on October 1, 2003 and end on September 30, 2004. For COUNTY, the Purchasing Division Director is authorized to provide TOWN, in writing, with COUNTY's intent to renew the Interlocal Agreement for the second renewal term.

3. Article 4, Termination, of the Interlocal Agreement is hereby amended to add the following provision:

4.3 Notwithstanding the foregoing, either party may terminate this Interlocal Agreement by providing the other party with one hundred eighty (180) days written notice as provided for in Section 8.7.
4. Section 6.1, provides in part that the monthly amount COUNTY shall pay TOWN for emergency medical and fire protection services rendered by TOWN shall not increase by more than five percent (5%) per year. For the purposes of this first renewal term, the monthly amount COUNTY shall pay TOWN is Thirty-eight Thousand Five Hundred Eighty-seven Dollars and Fifty Cents (\$38,587.50) for a total annual amount of Four Hundred Sixty-three Thousand and Fifty Dollars (\$463,050.00).
5. Except as provided for in this Renewal to Interlocal Agreement, all terms and conditions set forth in the original Interlocal Agreement not in conflict herewith shall remain in force and effect.
6. This Renewal of the Interlocal Agreement will be fully executed in five (5) copies by all parties, each of which, bearing original signatures, shall have the force and effect of an original document.

(The remainder of the page intentionally left blank.)

IN WITNESS WHEREOF, the parties have made and executed this Renewal to Interlocal Agreement on the respective dates under each signature: BROWARD COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Mayor or Vice Mayor, authorized to execute same by Board action on the _____ day of _____, 2003, and the TOWN OF DAVIE, signing by and through its Mayor, duly authorized to execute same.

COUNTY

BROWARD COUNTY, through its
BOARD OF COUNTY COMMISSIONERS

ATTEST:

County Administrator and Ex-Officio
Clerk of the Board of County
Commissioners of Broward County,
Florida

By: _____
Mayor

____ day of _____, 2003.

Approved as to form by Office of County
Attorney Broward County, Florida
EDWARD A. DION, County Attorney
Governmental Center, Room 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By: _____
Patrice M. Eichen
Assistant County Attorney

**RENEWAL OF INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE
TOWN OF DAVIE PROVIDING FOR DELIVERY OF EMERGENCY MEDICAL AND FIRE
PROTECTION SERVICES BY TOWN WITHIN A PORTION OF UNINCORPORATED
BROWARD COUNTY**

TOWN

ATTEST:

TOWN OF DAVIE, FLORIDA

By: _____
Town Clerk

By: _____
Mayor

__ day of _____, 2003.

APPROVED AS TO FORM:

Town Attorney